

TIMOTHY J. LONG (State Bar No. 137591)  
MICHAEL D. WEIL (State Bar No. 209056)  
CHRISTIAN N. BROWN (State Bar No. 233147)  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
The Orrick Building  
405 Howard Street  
San Francisco, California 94105-2669  
Telephone: 415-773-5700  
Facsimile: 415-773-5759

Attorneys for Defendants  
Wilbur-Ellis Company; Douglas Snyder;  
William Francis; and Armon Azevedo

RUBEN A. CASTELLON (State Bar No. 154610)  
ROSS H. HIRSCH (State Bar No. 204320)  
STANZLER FUNDERBURK & CASTELLON LLP  
180 Montgomery Street, Ste. 1700  
San Francisco, California 94104  
Telephone: (415) 677-1450  
Facsimile: (415) 677-1476

Attorneys for Plaintiff  
LOVELAND INDUSTRIES, INC. d/b/a/ UAP WEST

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LOVELAND INDUSTRIES, INC. d/b/a UAP  
WEST, a Colorado corporation,

Plaintiff,

v.

WILBUR-ELLIS COMPANY, a California  
corporation; DOUGLAS SNYDE, an  
individual; WILLIAM FRANCIS, an  
individual; ARMON AZEVEDO, an  
individual; and DOES 1 through 20, inclusive,

Defendants.

Case No. C 05 0840 SC

Judge: Hon. Samuel Conti  
Courtroom: 1

Complaint Filed: February 28, 2005

**JOINT STIPULATION AND  
~~PROPOSED~~ ORDER REGARDING  
DEADLINE FOR EXPERT  
DISCLOSURES**

1 Pursuant to Local Rule 6-2(a), Plaintiff Loveland Industries, Inc. and Defendants Wilbur-  
2 Ellis Company, Douglas Snyder, William Francis and Armon Azevedo (collectively, "the parties")  
3 stipulate as follows:

4 WHEREAS, the Court did not set a separate deadline for the disclosure and exchange of  
5 experts and expert reports;

6 WHEREAS, the deadline for disclosure of experts and initial expert reports is set by  
7 Federal Rule of Civil Procedure 26(a)(2)(C) for October 11, 2005;

8 WHEREAS, the parties have a mediation scheduled for October 10, 2005, and the parties  
9 seek to increase the chances of a successful mediation by focusing on settlement issues and avoid  
10 spending potentially unnecessary time and resources on the preparation of experts and expert  
11 reports, and considering the trial schedules of counsel for both parties there will be insufficient  
12 time for the parties to complete expert reports or expert discovery before the discovery cutoff;

13 WHEREAS, the parties have not sought any previous scheduling changes in this matter;

14 WHEREAS, the parties' stipulation would not affect the trial date scheduled for January  
15 9, 2006;

16 IT IS HEREBY STIPULATED by and between the parties to this action through  
17 their designated counsel as follows:

18 1. the last day for disclosure of experts and expert reports shall be continued  
19 from October 11, 2005 to October 31, 2005;

20 2. the last day for disclosure of rebuttal experts and rebuttal reports shall be  
21 continued from November 11, 2005 to November 30, 2005; and

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3. the close of discovery of expert witnesses only, shall be continued from November 9, 2005 to December 19, 2005; and the close of non-expert discovery shall remain November 9, 2005.

Dated: October 4, 2005

TIMOTHY J. LONG  
MICHAEL D. WEIL  
CHRISTIAN N. BROWN  
ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/  
Michael D. Weil  
Attorneys for Defendants  
Wilbur-Ellis Company; Douglas Snyder;  
William Francis; and Armon Azevedo

Dated: October 4, 2005

RUBEN A. CASTELLON  
ROSS H. HIRSCH  
STANZLER FUNDERBURK & CASTELLON LLP

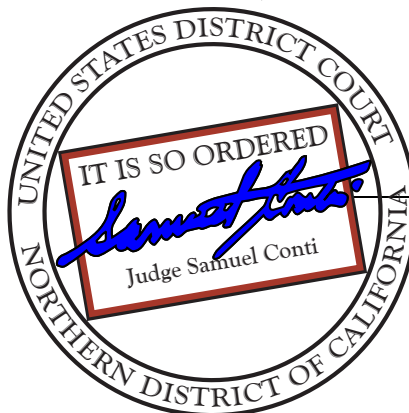
By: /s/  
Ruben A. Castellon  
Attorneys for Plaintiff  
Loveland Industries, Inc. d/b/a/ UAP West

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document.

By: /s/  
Michael D. Weil  
Attorneys for Defendants  
Wilbur-Ellis Company; Douglas Snyder;  
William Francis; and Armon Azevedo

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED on this 6 day of October, 2005.



Hon. Samuel Conti  
United States District Court Judge

JOINT STIPULATION AND [PROPOSED] ORDER  
REGARDING DEADLINE FOR EXPERT  
DISCLOSURES (CASE NO. C 05 0840 SC)